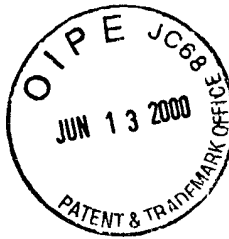


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June 12, 2000

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

ATT: PCT Legal Office


In re Application of: HICKS et al
USApplication No: 09/230275
International App. No PCT/US97/13321
IA Filing Date: 23 July 1997
Priority Date: 24 July 1996
For: Cholesterol Separation and
Fluorescent Analysis

Sir:

Submitted herewith is a **RENEWED PETITION UNDER 37 CFR 1.181**, together with supporting exhibits 1-8.

Pursuant to the Decision on Petition to Withdraw Notice of Abandonment mailed May 22, 2000, no petition fee is required. Furthermore, since this Renewed Petition is filed within two months, no extension fee is required.

Respectfully submitted,


Jerold I. Schneider
Registration No. 24,765
Attorney for Applicants

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HICKS et al
USApplication No: 09/230275
International App. No PCT/US97/13321
IA Filing Date: 23 July 1997
Priority Date: 24 July 1996
For: Cholesterol Separation and Fluorescent Analysis

**RENEWED PETITION UNDER 37 CFR 1.181
TO WITHDRAW
NOTIFICATION OF ABANDONMENT**

Assistant Commissioner for Patents
Box PCT
Washington, D.C. 20231

ATT: PCT Legal Office

Sir:

This is a Renewed Petition Under 37 CFR 1.181 to Withdraw the Notification of Abandonment. A "Decision on Petition" was mailed May 22, 2000. This "Renewed Petition" is filed within two months and is thus timely without any extension fee. Based on the following, reconsideration on the merits is solicited.

FACTS

In the Decision on Petition mailed May 22, 2000, the Office correctly noted that copies of docket records where the nonreceived Office communication would have been entered had it been received and docketed, were not provided. The following is now provided.

1. Docket Sheet dated 16 October 1998 indicating (albeit incorrectly) a filing deadline of 21 October 1998;

2. Docket Sheet dated 26 January 1999 indicating that the application was filed 22 January 1999 and docketing reminder dates for Serial Number postcard, receipt of the OFR (official filing receipt) and IDS (information disclosure statement) due date;
3. Docket sheet dated 4 February 1999, indicating that a serial number had been assigned (09/230275) (note "postcard S.N. received 1/28/99 in the 'remarks' section) and retaining the reminder dates for receipt of the OFR (official filing receipt) and IDS (information disclosure statement) due date;
4. Docket sheet dated 3 June 1999, indicating the change of address filed June 2, 1999 (see 'remarks' section) and a status check for 22 April, 2000. (Note, the docketing system had dropped the prior two dates for OFR and IDS as those dates had passed and were not considered statutory dates.)
5. Docket sheet dated 10/29/99 (processed after my arrival at new law firm) based on docket clerk review of file which indicated a [Paris] Convention deadline of 1/22/00 and a status check set for 7/22/00.
6. Docket sheet dated 3/8/00 merely indicating a change in the internal client identification at Arter & Hadden, LLP, specifically, the data in the box "A&HCM".
7. Docket sheet dated 4/22/00 indicating docketing of the Notification of Abandonment (mailed 3/2/00).
8. Docket sheet dated 5/25/00 indicating that the Petition to Withdraw the holding of abandonment was denied.

DISCUSSION

Copies of the docket sheets, identified in the lower right hand corner by numerals 1-8 corresponding to the above list, are attached. The file does not include any other docket sheets.

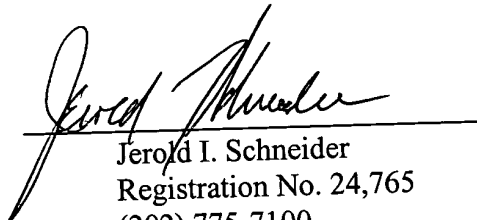
As a practitioner registered to practice before the United States Patent and Trademark Office, I hereby certify the accuracy of all the foregoing statements, and the accuracy of the copies of the docket sheets.

It is submitted that the remaining requirement of 711.03(c), M.P.E.P. and 1156 O.G. 53 (November 16, 1993) as set forth in the Decision on Petition mailed May 22, 2000, have been complied with, and all requirements to establish non-receipt of an Office action have been met. Thus, it is submitted that applicant has established that there was non-receipt of the Office action (Notification of Missing Requirements).

Based upon the foregoing and the information submitted with the initial petition, withdrawal of the Notice of Abandonment is solicited.

Respectfully submitted,

June 13, 2000


Jerald I. Schneider
Registration No. 24,765
(202) 775-7100
Attorney for Applicants

Country Applications

16-Oct-98

Docket Number:	5093	Country:	US	SubCase:	00
Client:	Helena Laboratories Corp.	United States of America			
Matter:		CPA:	No		
Case Type:	ORD	Application Status:	Unfiled		
Application Number:		Filing Date:			
Patent Number:		Issue Date:			
Publication Number:		Publication Date:			
Tax Schedule:	LE	Expiration Date:			
Agent:		Agent Reference Number:			
		Title:	Cholesterol Separation and Fluorescent Analysis		
		Docket Number:	5093	US	00
Action(s) Due	Due Date	Indicator	Action Taken	Response Sent	
Application Filing Deadline	21-Oct-1998	DueDate	<input type="checkbox"/>	<input type="checkbox"/>	

Remarks: PCT application 9713321 is based on U.S. Provisional Appl. No. 60/022354, Filed 7/23/96;

UserID:	Quandetta	Date Created:	10/16/98	Last Update:	10/16/98
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1

Country Applications

26-Jan-99

Docket Number:	5093	Country:	US	SubCase:	00
Client:	Helena Laboratories Corp.	United States of America			
Matter:		CPA:	No		
Case Type:	ORD	Application Status:	Pending		
Application Number:		Filing Date:	22-Jan-1999		
Patent Number:		Issue Date:			
Publication Number:		Publication Date:			
Tax Schedule:	LE	Expiration Date:			
Agent:		Agent Reference Number:			
		Title:	Cholesterol Separation and Fluorescent Analysis		

Docket Number:		5093	US	00
Action(s) Due	Due Date	Indicator	Action Taken	Response Sent
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IDS Due	22-Apr-1999	Reminder	<input type="checkbox"/>	<input type="checkbox"/>

Remarks: PCT application 9713321 is based on U.S. Provisional Appl. No. 60/022354, Filed 7/23/96;

UserID:	Quandetta	Date Created:	10/16/98	Last Update:	1/26/99
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2

Country Applications

04-Feb-99

Docket Number:	5093	Country:	US	SubCase:	00
Client:	Helena Laboratories Corp.	United States of America			
Matter:		CPA:	No		
Case Type:	ORD	Application Status:	Pending		
Application Number:	09/230275	Filing Date:	22-Jan-1999		
Patent Number:		Issue Date:			
Publication Number:		Publication Date:			
Tax Schedule:	LE	Expiration Date:			
Agent:		Agent Reference Number:			
		Title:	Cholesterol Separation and Fluorescent Analysis		
		Docket Number:	5093	US	00

Action(s) Due	Due Date	Indicator	Action Taken	Response Sent
Receipt of OFR	22-Mar-1999	Reminder	<input type="checkbox"/>	<input type="checkbox"/>
IDS Due	22-Apr-1999	Reminder	<input type="checkbox"/>	<input type="checkbox"/>


Remarks: PCT application 9713321 is based on U.S. Provisional Appl. No. 60/022354, Filed 7/23/96; Postcard S.N. received 1/28/99

UserID:	Ana Reyes	Date Created:	10/16/98	Last Update:	2/1/99
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3

03-Jun-99

Country Applications

Docket Number:	5093	Country:	US	SubCase:	00
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Patent Number:		Issue Date:			
Publication Number:		Publication Date:			
Tax Schedule:	LE	Expiration Date:			
Agent:		Agent Reference Number:			
		Title:	Cholesterol Separation and Fluorescent Analysis		
		Docket Number:	5093	US	00
Action(s) Due	Due Date	Indicator	Action Taken	Response Sent	
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Remarks: PCT application 9713321 is based on U.S. Provisional Appl. No. 60/022354, Filed 7/23/96; Postcard S.N. received 1/28/99; Filed change of address 6/2/99;

UserID:	Ana Reyes	Date Created:	10/16/98	Last Update:	6/3/99
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OPER ☐ CBK ENTERED 10/29/99 MODIFIED 10/29/99 ATTORNEYS JS0 / NAS ☐ NAS
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 A&HCM# 5093.00 CNTRY US UNITED STATES NEW/CON NEW RELATED
 PATS# P62243US0 TYPE UTL SERIAL# 09/230,275 PATENT# STAT PENDING
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 CLIENT 00001/ Helena Laboratories Corp 1 CREF SE NO LOC
 AGENT AREF CLAIMS PBL#
 PRIOR MAIL FILE 1/22/99 PUBL ISSUE EXP 1/22/19 1ST 1/22/99

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INVENTORS
 GUADAGNO, Philip A.

NOTES
 BASED OFF PCT APPLICATION 97/13321 7/23/97 (???)

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OPER ☐ CBK ENTERED 10/29/99 MODIFIED 2/8/00 ATTORNEYS JS0 / NAS NAS PRINTED ON: 3/8/00
 A&HCM 74712/98807E CNTRY US UNITED STATES NEW/CON NEW RELATED
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 CLIENT 74712/ Helena Laboratories Corp 1 CREF 5093.00 SE NO LOC WDC
 AGENT AREF CLAIMS PBL#
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INVENTORS

GUADAGNO, Philip A.

NOTES

BASED OFF PCT APPLICATION 97/13321 7/23/97 (???)

6

OPER ENTERED MODIFIED ATTORNEYS /
 PRINTED ON:
 A&HCM CNTRY UNITED STATES NEW/CON RELATED
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 TITLE ART#
 CLIENT CREF SE LOC
 AGENT AREF CLAIMS PBL#
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INVENTORS

ASSIGNEES

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 TITLE **CHOLESTEROL SEPARATION AND FLUORESCENT ANALYSIS** ART#
 CLIENT **74712** **HELENA LABORATORIES CORPORATION** **1** CREF SE **NO** LOC **WDC**
 AGENT AREF CLAIMS PBL#
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INVENTORS
GUADAGNO, Philip A.

ASSIGNEES
HELENA LABORATORIES CORPORATION

PRIOR APPLICATIONS					
REFERENCE#	CNTRY	SERIAL#	FILED	TITLE / DESCRIPTIO	TYPE
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